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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,800	11/26/2003	Jessica Rose Berens	ROC920030223US1	9094
7590	11/29/2005		EXAMINER	
Robert R. Williams IBM Corporation, Dept. 917 3605 Highway 52 North Rochester, MN 55901-7829				HOFFBERG, ROBERT JOSEPH
		ART UNIT		PAPER NUMBER
		2835		

DATE MAILED: 11/29/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/723,800	BERENS ET AL.	
	Examiner	Art Unit	
	Robert J. Hoffberg	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

WHENEVER LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 11/26/2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-10 and 12-15 is/are rejected.

7)  Claim(s) 11, 16, 17 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 26 November 2003 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

***Detailed Action***

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ayd et al. (US 6,025,989).

With respect to Claims 1-5, Ayd et al. teaches a component mounting mechanism which enables the tandem mounting of two components through a single opening in a device chassis comprising: a frame member (Fig. 1, #14); a first component (Fig. 1, #20) attached to said frame member adjacent one end of said frame member; means for supporting (Fig. 1, #30) said frame member within said device chassis (Fig. 1, #10) and enabling linear motion (see arrows in Fig. 1) of said frame member into and out of said device chassis through a chassis access opening (Fig. 1, #22 and #23); a latch element movably supported on said frame member (Fig. 1, #13) at the end of said frame opposite said one end and including latch means (Fig. 1, #32) which is engageable with cooperating latch means (Fig. 1, #36) presented by said device chassis to secure said frame member within said chassis; and means for manually releasing (Col. 3, lines 4-5) said latch element latch means from said chassis cooperating latch means; whereby with said frame member inserted through said chassis access opening and retained by said latch element within said chassis, said

frame member and said first component define (see Fig. 3) at least a portion of a media form factor extending into said chassis from said chassis access opening. Ayd et al. further teaches wherein said first component is disposed within no more than half the volume (see Fig. 1) defined by the length of said frame and the height and width of said first component at said one end of said frame member. Ayd et al. further teaches wherein said first component is a blower (Fig. 1, #20). Ayd et al. further teaches further comprising biasing means (Fig. 1, #32 with #36) carried by said latch element for engaging said frame member when said latch means is engaged with said cooperating latch means to bias said frame toward the fully inserted position (see Fig. 2) within said chassis. Ayd et al. further teaches further comprising a drop down handle (Fig. 1, #13) pivotably mounted (Col. 3, lines 5-6) on said latch element (Fig. 1, #32) and pivotable between an operative position at which it can be used to disengage (reverse of Col. 3, lines 4-25) said latch means from said cooperating latch means (Fig. 1, #36) and a stored position closely (see Fig. 2) adjacent said latch element.

With respect to Claims 6-9, Ayd et al. teaches a component mounting mechanism for mounting a component on and within a device chassis comprising: a frame member (Fig. 1, #14); a first component (Fig. 1, #20) attached to said frame member adjacent one end of said frame member; a first track portion (L-shaped member on rear corners of Fig. 1, #14) carried by said frame member; a second track portion (on left and right sides of Fig. 1, #30) presented by said chassis which engages and cooperates with said first track portion to permit relative linear motion (see arrows in Fig. 1) of said frame member into and out of said chassis through a chassis opening

(Fig. 1, #22 and #23) and to provide support of said frame member on said chassis; a latch element (Fig. 1, #32) supported on and longitudinally (Fig. 1 #32 moves lengthwise as rotated) movable relative to said frame member at the end of said frame member opposite (see Fig. 1) said one end and including a latch means which is engageable (Col. 3, line 8) with a cooperating chassis latch means (Fig. 1, #36) to retain (Col. 3, line 18) said frame member within said chassis; and means for manually releasing (Col. 3, lines 4-5) said latch projection from said chassis opening. Ayd et al. further teaches wherein said first component is a blower (Fig. 1, #20). Ayd et al. further teaches wherein said latch element latch means comprises a projection (Fig. 1, #32 on #13) formed as an integral part of said latch element and said cooperating chassis latch means comprises an opening (Fig. 1, #36) in said chassis into which said projection is received when said frame is fully inserted into said chassis with said frame member one end (Fig. 1, #14 rear near #20) first entering said chassis opening. Ayd et al. further teaches further comprising biasing means (Fig. 1, #32 with #36) carried by said latch element for engaging said frame member when said latch means is engaged with said cooperating latch means to bias said frame toward said fully inserted position (see Fig. 2) within said chassis.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayd et al. (US 6,025,989) in view of Helot (US 5,717,571).

With respect to Claim 10, Ayd teaches the mechanism of the claims above. Ayd et al. does not teach that the latch has the specific structure of this claim. Helot teaches the latch element (Fig. 4, #40) is a single integral molded member (Col. 5, line 7 plastic) comprising a central portion (Fig. 4, #46) which includes said latch element latch projection (Fig. 4, #48) and a pair of longitudinally extending outrigger portions (Fig. 4, #52 and #54) respectively connected at each lateral side of said central portion by a reduced cross section web portion (Col. 5, lines 26, 33-34 and 41) with each said outrigger portion including a plurality of outwardly extending projections (Fig. 4, #52 and 54) and said frame member (Fig. 5, #10) includes a central cut out portion (Fig. 5, #42) presenting confronting edge surfaces (Fig. 5, #70 and #72) which are confined respectively between said latch element outrigger portions projections. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify mechanism of Ayd et al. with that of Helot to have latch system to retain the tray within the frame.

With respect to Claims 12, Ayd et al. teaches a component mounting mechanism for mounting a component within a device chassis through a chassis opening comprising: a sheet metal tray member (Fig. 1, #14); a first component (Fig. 1, #20); a latch element (Fig. 1, #32) supported on said tray member at said cut out portion (Fig. 2, #32 in engaged position) for limited longitudinal movement (Fig. 1, #32 has limited rotational and longitudinal movement) with respect to said tray; a latch projection Fig. 1,

#32 on #13) carried by said latch element; said tray including a pair of inwardly extending, raised longitudinal flange (L-shaped member on lower rear corners of Fig. 1, #14) means for aligning, inserting and supporting said tray within said chassis (Fig. 1, #12) at said chassis opening, whereby, with the component mounting mechanism fully inserted through said chassis opening (Fig. 1, #22 and #23), the space extending longitudinally into said chassis adjacent to said tray member from said chassis opening to said first component can receive an industry standard form factor second component (Fig. 1, #16) in tandem with said first component. Ayd et al. does not teach a first component secured to the lower surface of said tray member, a cut out portion of said tray member extending from the end opposite said one end that presents parallel, longitudinal edge surfaces and the space extending longitudinally into said chassis beneath said tray member. Helot teaches a first component secured to the lower surface of said tray member (top of Fig. 7, #22) adjacent one end thereof; a cut out portion (Fig. 5, #86 and #88) of said tray member extending from the end opposite said one end that presents parallel, longitudinal edge surfaces and the space (Fig. 5, #80) extending longitudinally into said chassis beneath (see Fig. 5) said tray member. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify mechanism of Ayd et al. with that of Helot to mount the components beneath instead of above the tray assembly because it has been held that rearrangement of parts is within the general skill of the art. *In re Japiske*, 181 F. 2d 1019, 86 USPQ 70 (CCPA 1950).

With respect to Claim 13, while Ayd et al. does not teach wherein said latch element is a single integral molded member. It would have been obvious to one of ordinary skill in the art at the time of the invention was made that to include a latch element which is a single integral molded member or any other method of manufacture which would allow the latch element to operate.

With respect to Claim 14, Ayd et al. further teaches further comprising biasing means (Fig. 1, #32 with #36) formed as a part of said latch element for engaging (Col. 3, line 8) said tray member when said tray member is fully inserted through said chassis opening (Fig. 1, #22 and #23) to bias said tray member toward said fully inserted position (see Fig. 2).

With respect to Claim 15, Ayd et al. does not teach that the latch has the specific structure of this claim. Helot further teaches wherein said latch element (Fig. 4, #40) comprises a central portion (Fig. 4, #46) and a pair of outrigger portions (Fig. 4, #52 and #54) positioned respectively at each lateral side of said latch element central portion with each secured to said central portion by a reduced cross section web (Col. 5, lines 26, 33-34 and 41) and each presenting upper and lower outwardly extending projections that capture the respective said tray member parallel longitudinal edge surface therebetween.

#### ***Allowable Subject Matter***

Claims 11 and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of

reasons for the indication of allowable subject matter: Claims 11 and 16 and all claims dependent thereof are allowable over the art of record because the prior art does not teach or suggest that a "frame member", a "first component", a "first and second tracks", a "latch element" with "a drop down handle pivotably mounted on said latch element" between "an operative position position" to disengage and "stored position closely adjacent said latch element." The closest reference to present invention is believed to be Gan (US 2002/0043908) that teach first and second tracks on a tray and frame members respectively, but lack the structure of the latching feature.

The aforementioned limitations in combination with all remaining limitations of the respective claims are believed to render said claims 11 and 16 and all claims dependent therefrom patentable over art of record.

### ***Conclusion***

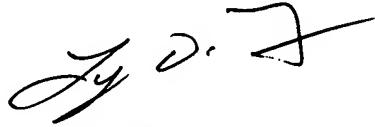
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mattei et al. (US 6,879490) and Chen (US 2003/0099089) teach first and second tracks on a tray and frame members respectively. Jones (US 5,761,032), Behl et al. (US 2003/0133266) and Olesiewicz (US 2005/0063156) teach a tray for mounting of two components through a single opening in a device chassis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH



LYNN FEILD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800